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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,760	08/16/2001	Courtney Konopka	50P4487	5421

7590 11/29/2004

Intellectual Property Department
Sony Electronics Inc.
123 Tice Boulevard - MD T1-1
Woodcliff Lake, NJ 07675

EXAMINER

LERNER, MARTIN

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/932,760

Applicant(s)

KONOPKA ET AL.

Examiner

Martin Lerner

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 to 44 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 to 28, 30, and 32 is/are allowed.
- 6) ☒ Claim(s) 29, 31, and 33 to 44 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to because there are two Figures 3A. The three portions of Figure 3 should be relabeled as Figure 3A, Figure 3B, and Figure 3C. Correspondingly, the Specification should be updated to reflect the correct numbering on Page 5, Lines 12 to 13; Page 11, Line 24; Page 12, Line 22; and Page 13, Line 2.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheets should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities:

On page 1, lines 17 to 18; page 5, line 24; and page 9, line 26, the serial number of the co-pending patent application should be inserted.

On page 2, line 23, "if" should be —of—.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 29, 31, and 33 to 44 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

There are errors in claim dependency and antecedent basis.

In claim 29, "said predetermined criteria" lacks antecedent basis from independent claim 24, from which it depends.

In claim 31, "said centralized data base" lacks antecedent basis from independent claim 23 and claim 27.

In claim 35, a system claim depends upon claim 31, which is a claim to a method.

In claim 39, a system claim depends upon claims 31 and 35, where claim 31 is a claim to a method.

In claim 43, a system claim depends upon claims 31, 35, and 39, where claim 31 is a claim to a method.

Allowable Subject Matter

5. Claims 1 to 28, 30, and 32 are allowed.
6. Claims 29, 31, and 33 to 44 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
7. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record does not disclose or suggest updating speech models for speech recognition, where utterances from a class of users are identified, the utterances differing from stored speech models by at least a predetermined amount, then collecting utterances, and correcting and updating speech models. The closest prior art of record is *Junqua* ('181), which discloses utterances from classes of speakers, and adaptation of speech models for utterances having a high confidence measure. (Column 3, Line 12 to Column 4, Line 54) However, *Junqua* ('181) does not provide for correcting speech models with utterances that differ from the speech models by at least a predetermined amount. Instead, *Junqua* ('181) discards utterances with low confidence, as an indication a speaker has simply said the wrong word. *Murveit et*

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al. discloses adaptation of speech models, where speech recognition accuracy is calculated, analogous to determining the degree to which utterances differ from a speech model, and utterances with moderate speech recognition accuracy are retained to modify an acoustic model, while if speech recognition accuracy is high or low, no modifications are made to an acoustic model. However, *Murveit et al.* does not disclose identifying speech from a class of users. Moreover, even a combination of *Junqua* ('181) and *Murveit et al.* would not teach collecting an identified set of utterances for updating.

Applicants' Specification, Page 2, Line 7 to Page 5, Line 2, states that the advantage of correcting utterances for speech that differs from speech models for classes of users is that adaptation for classes of users speaking differing primary languages, having differing genders, of differing ages, and speaking differing dialects can be efficiently and inexpensively accommodated for diverse classes of users. The prior art of record does not disclose or suggest adapting speech models for utterances differing from speech models by at least a predetermined amount for the purpose of accommodating diverse classes of users. Moreover, collecting utterances for updating provides an advantage of deferring adaptation until after completion of a session for more efficient utilization of processing resources.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to Applicants' disclosure.

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Kanevsky et al., Junqua ('030), Chow ('397), Chow et al. ('486), Goldenthal et al., Gao et al., Beigi et al., Chang, Lin et al., and Naito et al. disclose related art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Martin Lerner whose telephone number is (703) 308-9064. The examiner can normally be reached on 8:30 AM to 6:00 PM Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (703) 305-9645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ML
11/24/04


Martin Lerner
Examiner
Group Art Unit 2654